

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Richard Michael Ososki-Vanhorn II

Case No.

1:22-mj-30118

Judge: Morris, Patricia T.

Filed: 03-07-2022

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August-October of 2021 & March 4, 2022 in the county of Bay in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2252A(a)(5)(B) & (b)(2)

Possession of child pornography involving a prepubescent minor
or a minor who had not attained 12 years of age

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: March 7, 2022

City and state: Bay City, Michigan



Complainant's signature

Amanda Thomas, Special Agent-FBI

Printed name and title



Judge's signature

Patricia T. Morris, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Amanda Thomas, being duly sworn, do hereby state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been employed since August 1, 2021. I am presently assigned to the FBI's Detroit Field Office, Bay City Resident Agency. I work a variety of criminal and national security matters including investigations involving crimes against children. I have received training in the area of child pornography and child exploitation, and I have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in many forms of media, including computer media.

2. This affidavit is being submitted for the purpose of obtaining a criminal complaint and arrest warrant for Richard Michael Ososki-Vanhorn II in violation of 18 U.S.C. § 2252A(a)(5)(B) & (b)(2), possession of child pornography involving a prepubescent minor or a minor who had not attained 12 years of age.

3. The information set forth in this affidavit was obtained during the course of my employment with the FBI, through personal observation, statements of witness, information supplied by other local and federal law enforcement officers and through other investigative activity. The information in this affidavit is included for the limited purpose of showing probable cause and this affidavit does not contain all the information related to this investigation.

Probable Cause

4. On December 22, 2021, Google submitted three cyber tips through the National Center for Missing and Exploited Children (NCMEC). The tips reported that Google user Rich Oski, user email address richard*****@gmail.com, and user telephone number xxx-xxx-2188, had dozens of child-pornographic images stored on his Google Drive from August 2021 through October 2021. The user was later identified as Richard Michael Ososki-Vanhorn II.

5. Google Drive is an internet-based storage service for Google users that stores data on Google's remote servers located across the United States and beyond. The uploading and transfer of data files containing photographs and videos from their original location to Google Drive likely occurred by computer using the internet, which is a channel of interstate commerce.

6. Google provided Internet Protocol (IP) addresses for logins and the file uploads, however, they are all mobile IP addresses. Mobile IP addresses enable the transfer of information to and from mobile computers, such as laptops and wireless communications. Google provided over ninety-six files reportedly stored in Google Photos and Google Drive for the user associated with email address richard*****@gmail.com.

7. I have reviewed the files associated with the NCMEC tips in Ososki-Vanhorn's Google account and determined the images and videos constitute child pornography as defined by 18 U.S.C. § 2256, i.e., visual depictions of minors

engaging in sexually explicit conduct. The following is a description of some of the images and videos:

a. File name: Google-CT-RPT-8167627561d64835f*****-download(21).jpeg

Description: A nude prepubescent female child lying down with her legs spread open and her vaginal area is visible and there is an erect adult penis between her feet.

b. File name: Google-CT-RPT4874c1ea21c7a9f70*****-HELL-EXCLUSIVE-Little-Baby

Description: A nude prepubescent female child's wrists are handcuffed to her ankles over her head, with her vaginal and anal area visible. There is an adult male's hands placed on her bottom.

c. File name: Google-CT-RPT-309e4ff4e)132eb06700bf*****

Description: A video clip of an adult male's erect penis holding the back of the head of a prepubescent female. The adult male is inserting his penis into her mouth.

8. A search warrant was submitted to Google requesting account information for email address richard*****@gmail.com. Google provided the following information:

1. Account Name: RICH OSKI
2. Date of Birth: xx/xx/1987
3. Account Email: RICHARD*****@GMAIL.COM
4. Phone number: xxx-xxx-2188
5. Devices used to access account: SAMSUNG SM-A025V (cellular phone), a SAMSUNG SM-A102U (cellular phone), and a SAMSUNG CHROMEBOOK

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6. Google Pay: credit cards associated to the account with the name of Richard

Ososki Vanhorn.

7. Files: 78 files of suspected Child Sexually Abusive Material (CSAM)

9. A commercially available database query was completed on the phone number and email address provided by Google, and both are associated with Richard Michael Ososki-Vanhorn. The phone number provider is Verizon and registered to Person 1. Person 1 and Ososki-Vanhorn's shared residence has been identified as *** ***** Road, in Linwood, in the Eastern District of Michigan.

10. Ososki-Vanhorn is a registered sex offender. In 2010, Ososki-Vanhorn was convicted of criminal sexual conduct, second degree, person under 13 years old, in the 42nd Circuit Court in Midland County, Michigan. The address used by Ososki-Vanhorn to register as a sex offender is the same as that listed above for him.

11. Ososki-Vanhorn is on a lifetime monitoring device through the Michigan Department of Corrections. The phone number associated with that monitoring device is the same number associated with the Google account described above: xxx-xxx-2188.

12. On March 4, 2022, law enforcement officers executed a federal search warrant for Ososki Vanhorn, his residence, and digital devices matching the description of those used to access the Google account. His residence is in the Eastern District of Michigan. One of the items seized during the search warrant was Ososki-Vanhorn's Samsung cellular telephone. The cellular telephone was

initially locked by a pattern lock. Ososki-Vanhorn was asked to unlock the device. OsoskiVanhorn requested a copy of the search warrant. Law enforcement officers provided him a copy of the search warrant and he, in turn, voluntarily unlocked the device. Ososki-Vanhorn confirmed the pattern used to unlock the device a second time when the lock was removed in the settings application.

13. Law enforcement officers informed Ososki Vanhorn that the cellular telephone was going to be reviewed onsite. Ososki-Vanhorn was asked if there were any applications on the cellular device of which investigators should be aware. Ososki-Vanhorn stated there were images located within the Verizon Cloud application. The cellular telephone was previewed onsite, and images of child pornography, as defined by 18 U.S.C. § 2256, i.e., visual depictions of minors engaging in sexually explicit conduct, were found within the Verizon Cloud application on Ososki-Vanhorn's cellular telephone. Verizon Cloud is an internet based storage service for Verizon users.

Conclusion

14. Based upon the above information, I respectfully submit that there is probable cause to believe that Richard Michael Ososki-Vanhorn II knowingly possessed child pornography, using any means or facility of interstate or foreign commerce including, but not limited to, a computer and the Internet, in violation of 18 U.S.C. § 2252A(a)(5)(B) & (b)(2), from August through October 2021 and on March 4, 2022, in the Eastern District of Michigan.



Amanda Thomas
Special Agent, FBI

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Patricia T. Morris
United States Magistrate Judge